



## EMPLOYMENT TRIBUNALS (SCOTLAND)

Case No: 4112518/2021 (V)

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Held via Cloud Video Platform (CVP) on 6 May 2022

Employment Judge B Beyzade

10 **Mr. W Murray**

**Claimant  
Represented by:  
Mr R Honeyman -  
Solicitor**

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**STL Kitchens Limited (In Voluntary Liquidation)**

**Respondent  
Not present and  
Not represented**

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### JUDGMENT OF THE EMPLOYMENT TRIBUNAL

#### 1. The judgment of the Tribunal is that:

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1.1. The claim in respect of rest breaks made pursuant to the Working Time Regulations 1998, having been withdrawn by the claimant is dismissed under Rule 52 of the Rules contained in Schedule 1 of the *Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013*.

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1.2. On reconsideration under Rule 70 of the *Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013*, the judgment dated 16 February 2022 and sent to the parties on 04 March 2022 is revoked, on the basis of the claimant's application for reconsideration. In relation to the claimant's holiday pay claim, a separate judgment has been issued requiring the claimant to pay a Deposit Order as a condition of pursuing his holiday pay claim.

1.3. Separate Case Management Orders have been issued in relation the appointment of the 2-hour Final Hearing to consider the claimant's claims.

5 1.4. The Secretary of State be added as a respondent in this case. I direct that the Secretary of State be given notice of the final hearing and sent a copy of the judgment relating to today's hearing and a copy of the ET1 Claim Form as soon as possible. This is to enable the Secretary of State to appear and be heard at the Final Hearing, as the proceedings may involve a payment out of the National Insurance Fund. The Secretary of State shall submit any response and any representations (if so advised) to the Tribunal and copy to all parties to these proceedings **by no later than 28 days** from the date of issue of this judgment.

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### REASONS

15 1. Oral reasons were given for this judgment at the end of the hearing held via Cloud Video Platform ('CVP') hearing.

**Employment Judge: B Beyzade**  
**Date of Judgment: 02 June 2022**  
**Entered in register: 07 June 2022**  
**and copied to parties**

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*I confirm that this is my judgment in the case of 4112518/2021 Mr. W Murray v STL Kitchens Limited (In Voluntary Liquidation) and that I have signed the order by electronic signature.*

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Note - Reasons for the judgment having been given orally at the hearing, written reasons will not be provided unless a request was made by either party at the hearing or a written request is presented by either party within 14 days of the sending of this written record of the decision.

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